

# CITY OF ANGELS CITY COUNCIL MINUTES

**Tuesday, May 7, 2013**

Council Members Present: Elaine Morris (Mayor), Jack Lynch (Vice Mayor), Stuart Raggio, Wes Kulm and Bert Sobon

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Todd Fordahl, and Susan Winans

## **5:30 p.m.      CALL TO ORDER**

### **ADJOURN TO CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV37944

CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6 Safety-Police MOU, Misc-Non Exempt MOU, City Negotiator: Michael McHatten, City Administrator

## **6:00 p.m.      REGULAR MEETING**

### **ACTION TAKEN IN CLOSED SESSION – 04/07/2013**

CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV37944

Council Action: DIRECTION GIVEN TO INTERIM CITY ATTORNEY

CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6 Safety-Police MOU, Misc-Non Exempt MOU, City Negotiator: Michael McHatten, City Administrator

Council Action: DIRECTION GIVEN TO CITY NEGOTIATOR

### **APPROVAL OF AGENDA**

MOTION by Council Member Sobon, seconded by Council Member Lynch and carried 5-0 APPROVING THE AGENDA AS PRESENTED.

### **STAFF UPDATES**

#### **Todd Fordahl** –Police Chief

Report included in packet. Informed Council that two new police cars are not yet in service as they got into the shop later than expected, but all work should be completed and the cars in service by the start of the fair.

Council Member Lynch wanted to commend Officer Jim McKeon and publicly acknowledge him for shaving his head in support of a young girl with cancer.

#### **David Myers** – City Engineer

Report included in packet. Mr. Myers asked if there were any questions about his report. Council Member Kulm asked if the spray field contract would come in on time. Mr. Myers informed the council that due to rain delays and difficulty obtaining parts, the finish date would have to be extended. Asked by Council Member Kulm if there were liquid damages in the contract, Mr. Myers responded that there were.

Council Member Lynch questioned whether the 20% discrepancy in the flow meter readings was in the city's favor. Mr. Myers indicated it was not, but that additional meters installed in the system have resolved that issue.

**Michael McHatten** – City Administrator

Report included in packet. Informed Council that interviews for the appointment of a City Attorney would be held in closed session on May 21st. Council was also reminded that the Director of Administrative Services was now providing an Administrative Staff Update for Council. Council Member Lynch questioned whether burn permit information was available on the City's website. Mr. McHatten will verify that and provide the information to Council.

**Derek Cole** – Interim City Attorney

Reported ongoing work with Michael McHatten and Department Heads.

**COUNCIL UPDATES**

**Jack Lynch**

- Attended Museum Commission meeting on April 18<sup>th</sup> - discussed the monthly lecture series. There were 83 attendees at the last lecture.
- Attended LLD meeting April 18<sup>th</sup> – discussed budgetary concerns with the Greenhorn Creek Advisory group. Council Member Lynch reemphasized the May 10<sup>th</sup> deadline for questions and comments concerning the LLD Legal Opinion.
- Attended a special UPA meeting on April 18<sup>th</sup> – reviewed forwarding the committees interest in receiving an additional 500 acre feet of water; meeting between the City and UPUD regarding provisions for dry year water guidelines.
- Attended UPA regular monthly meeting on April 23<sup>rd</sup>.
- Attended meeting with representatives from UPA and CCWD; City Engineer, Dave Myers; Planning and Building Director, Dave Hanham on April 24<sup>th</sup>.

**Wes Kulm**

- Attended CCOG meeting on April 17<sup>th</sup>
- Attended CCOG meeting on May 1<sup>st</sup>
- Questioned Council Member Lynch regarding the next step with comments on the LLD opinion. Michael McHatten informed the Council that he had not received any comments to date, but would respond to any received.

**Bert Sobon**

- Attended CCOG as an alternate on April 17<sup>th</sup>.
- Attended Museum Commission on April 18<sup>th</sup>.
- Attended UPA meeting on April 23<sup>rd</sup>.
- Attended CCOG on May 1<sup>st</sup> – commented on evidence of attempts to make cooperative agreements on transportation issues.

**Elaine Morris**

- Attended CCOG on May 1<sup>st</sup>.

**PUBLIC COMMENTS**

**Laurie Giannini** –

Personally invited the Council and City Staff to the 2013 Calaveras County Fair & Jumping Frog Jubilee. Thanked the Council on behalf of the Board of Directors for all that the City does for the Calaveras County Fair & Jumping Frog Jubilee and updated the Council on upcoming events.

**Tey Cross** – President of the Angels Camp Business Association

Updated the Council on preparations for the Fair; announced that the Farmer's Market will run from June 7<sup>th</sup> to September 27<sup>th</sup>, and invited all to attend; presented the City with a plaque from Congressman Dan Lundgren and Senator Ted Gaines in honor of the City's centennial celebration.

**Anne Forrest** – 1545 Tryon, Destination Angels Camp

Announced the planned Grand Opening of Veronica's Princess and the Pea Party Room in Angels Camp on May 16<sup>th</sup>.

**Gary Gordon** – 1583 Park Avenue

Has enjoyed living in the Angels Camp annex for 3 years, but has concerns about the safety of the walkway from Council Member Raggio's home to the bridge in downtown Angels Camp due to deteriorating wood and over grown vegetation.

**Lorena Darby** – 1352 Bush Street

Informed the Council that she walks from her home on Bush Street to Park Avenue on the west side of Hwy 49 where there is no sidewalk because it is too dangerous to cross the road. She asked that the Council address widening the shoulder area to accommodate foot traffic safely. Also, between Pine and Hardscrabble traffic is traveling too fast and she would like to see speed bumps installed.

**Kate Darby** – 1548 Park Avenue

Concerned about resident safety while walking into town from Park Avenue. Asked that the Council provide direction for them to resolve the issues with Caltrans and asked that Angels Camp businesses also push to get the issues resolved as it would also benefit them.

**Greg Petersen** - 218 Smith Flat

Informed Council about the green waste drop-off on May 11<sup>th</sup> and 12<sup>th</sup>, and reminded Council that Burn Permits would be required beginning May 1<sup>st</sup>.

**Council Member Kulm** –

Asked that City staff provide a summary assessment of the sidewalk issues in the Angels Camp annex.

### **CONSENT AGENDA**

Council pointed out one minor revision to the minutes dated April 2, 2013 and on minor revision to the minutes dated April 16, 2013. The Deputy City Clerk was directed to amend the minutes.

**MOTION** by Council Member Kulm, seconded by Council Member Lynch and carried 4-0-1, with Mayor Morris abstaining, ADOPTING THE CONSENT AGENDA ITEMS AS AMENDED:

- a. Approve Minutes of Regular meeting April 2, 2013
- b. Approve Minutes of Regular meeting April 16, 2013

### **REGULAR AGENDA**

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#### **1. FINANCE DEPARTMENT UPDATE**

Joe Aguilar, Interim Finance Officer, provided Council with an update of the City's financial position and an estimate of the time required to close the books for fiscal year 2012 as well as providing four major recommendations to Council including:

- Continue to use outside resources to clear up accounting systems and records.
- Attempt to hire a qualified in-house person to perform core accounting tasks.
- If the City hires an in-house person, set up outside oversight to assure the proper running of the financial system.
- Continue to use the existing audit firm to complete the June 2012 and June 2013 audit.

There was no action by Council.

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#### **2. POLICE DISPATCH SERVICES AGREEMENT**

**MOTION** by Council Member Kulm, seconded by Council Member Lynch and carried 5-0  
AUTHORIZING THE CITY OF ANGELS TO ENTER INTO AN AGREEMENT WITH THE  
COUNTY OF CALAVERAS FOR SPECIAL SERVICES WHICH CONSIST OF POLICE  
DISPATCH SERVICES SUBSEQUENT TO FURTHER DISCUSSION.

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#### **3. PUBLIC HEARING: CONSIDERATION OF VACATING A PORTION OF MAYO ROAD**

Council Member Raggio recused himself.

David Myers, City Engineer introduced Resolution No. 13-12 regarding the vacation of a portion of Mayo Road.

7:24 Public Hearing Opened

Mayor Morris asked if there were any members of the public who wished to comment on this item.

**Evonne Redding Hamm** – 1647 Mayo Road

Spoke against the road closure due to safety issues and inconvenience.

**Kevin Raggio** – 1669 S Main Street

Spoke in favor of the road closure in order to reclaim Raggio and Folendorf properties and for safety issues.

**Kate Darby** – 1548 Park Avenue

Spoke against the road closure due to traffic flow issues on Park Avenue.

**Phillip Faull** – 1614 Park Avenue

Spoke in favor of construction of a garage on the Raggio property. Expressed concern about the cost of improvements and felt that it would be safer if the city enforced the speed limits in the area.

**Gary Gordon** – 1583 Park Avenue

Spoke in favor of construction of a garage on the Raggio property. Expressed concern with vehicles being unable to make the turn onto Hwy 49 and traffic traveling over the speed limit.

**Evonne Redding Hamm** – 1647 Mayo Road

Stated she had nothing against the Raggio's rebuilding their garage, but without the garage visibility is better.

7:45 Public Hearing Closed

MOTION by Council Member Kulm, seconded by Council Member Lynch and carried 4-0  
ADOPTING RESOLUTION NO. 13-12. A RESOLUTION APPROVING THE VACATION OF A  
PORTION OF MAYO ROAD FOLLOWING THE COMPLETION OF APPROPRIATE ROAD  
WIDENING AT THE INTERSECTION OF MAYO ROAD AND SOUTH MAIN STREET.

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**4. APPROVAL OF ACKNOWLEDGEMENT AND CONSENT TO CHANGE OWNERSHIP**

MOTION by Council Member Lynch, seconded by Council Member Sobon and carried 5-0  
APPROVING THE ACKNOWLEDGMENT AND CONSENT TO CHANGE OWNERSHIP  
AGREEMENT FROM SEI SOLID WASTE TO CALIFORNIA WASTE RECOVERY SYSTEMS

**MEETING WAS ADJOURNED AT 8:06 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Susan Winans  
Deputy City Clerk